

To: mark.leskowicz@momentive.com <mark.leskowicz@momentive.com>  
Subject: Sistersville, WV - Momentive's Sept. 26, 2008 invoice for \$95,110.45  
Sent: 10/07/08 02:15:14PM  
Received: 10/07/08 02:15:00PM  
Message Size: 11997  
Created: 03/26/12 08:55:09PM  
Last Modification Time: 03/26/12 08:55:09PM  
Body Type: RTF  
From: Meyer, Paul - Middlebury, CT </O=BIOLAB/OU=MIDDLEBURY/CN=RECIPIENTS/CN=PMEYER>  
Email Type: Outlook (PST)  
Full Path: Export Search 1 Vault 0006\Root Items\Sistersville, WV - Momentive's Sept. 26, 2008 invoice for \$95,110.45

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Mark,

I am writing to you as a follow-up to the phone message that I'd left on your voice mail last Friday.

Chemtura is in receipt of your invoice noted above. I would like to schedule a call with you so that we can discuss the charges on each of the five tasks listed. Based upon my cursory review of the document I have questions on the following:

- \* There is no back-up documentation provided to substantiate the costs shown.
- \* The ground water monitoring cost line items do not add-up to the totals shown.
- \* Why are there charges for landscaping?
- \* There is no back-up for the cost justification statement that the, "Historical average O&M discussed during due diligence."
- \* PCB remediation work is not part of the approved Corrective Action yet costs for PCB decontamination are included.

Please contact me at your earliest convenience so that we may resolve the above issues thus allowing me to process the invoice for payment.

Regards,

Paul

Paul Meyer

Manager, Environmental Remediation

Environment, Health & Safety, Security, and Regulatory Affairs

Chemtura Corporation

199 Benson Road - Mail Stop 2-4

CHEM001238

**EPA005739**

Middlebury, CT 06749

203.573.3545 tel

203.573.2271 fax

914.469.6812 cell

paul.meyer@chemtura.com

---

To: Meyer, Paul - Middlebury, CT </O=BIOLAB/OU=MIDDLEBURY/CN=RECIPIENTS/CN=PMeyer>  
Subject: FW: PCB rolloff disposal  
Sent: 10/08/08 06:41:56PM  
Received: 10/08/08 06:42:13PM  
Message Size: 301534  
Created: 03/26/12 07:20:24PM  
Last Modification Time: 03/26/12 07:20:24PM  
Body Type: RTF  
From: Leskowitz, Mark A (Momentive Performance Materials) <Mark.Leskowitz@momentive.com>  
Email Type: Outlook (PST)  
Full Path: Export Search 1 Vault\_0003\Root Items\FW: PCB rolloff disposal

Attachments: PCB Soil quote.pdf

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Paul,

As mentioned in my e-mail, here is a quote for the cost of disposal of the 2 roll-offs containing PCB contaminated soil. These are currently sitting on our 1 year RCRA pad (the same pad we will need to have empty in order to drill the sample holes through for the final delineation of the previously discovered PCB area). As you mentioned while you were here, we will need to notify the WVDEP prior to shipping offsite for disposal. Are you OK with me doing the notification and getting this soil offsite?

Thanks

Mark

-----Original Message-----

From: Leskowitz, Mark A (Momentive Performance Materials)  
Sent: Friday, September 26, 2008 10:02 AM  
To: Carlson, Wayne L (Momentive Performance Materials); Robison, John (Momentive Performance Materials); Hiley, Raymond D (Momentive Performance Materials); Bhavsar, Sanat N (Momentive Performance Materials); Chu, Howard  
Cc: Martin, Jason (Momentive Performance Materials)  
Subject: FW: PCB rolloff disposal

Estimated cost to dispose of PCB contaminated soil in roll-offs - \$8000.

-----Original Message-----

From: Martin, Jason (Momentive Performance Materials)  
Sent: Thursday, September 25, 2008 7:27 AM  
To: Leskowitz, Mark A (Momentive Performance Materials)  
Subject: FW: PCB rolloff disposal

Fyi

Jason N. Martin  
Environmental Engineer  
Momentive Performance Materials

CHEM001240

EPA005741

Phone: 304.652.8127  
Cell: 304.771.1609  
Fax: 304.652.8738

-----Original Message-----

From: Kip.Davis@veoliaes.com [mailto:Kip.Davis@veoliaes.com]  
Sent: Wednesday, September 24, 2008 4:41 PM  
To: Martin, Jason (Momentive Performance Materials)  
Cc: Rich.Licht@veoliaes.com  
Subject: RE: PCB rolloff disposal

Jason,  
Here is your disposal cost for this material. This pricing is contingent on acceptance of the waste by EQ. If you would like to move forward with this, I will send over a completed profile that I will need signed. I will also need the analytical that shows what was tested for.

(See attached file: PCB Soil quote.pdf)

Let me know if you have any questions.

Thanks,

Kip Davis  
Technical Services Representative  
Veolia Environmental Services Technical Solutions, L.L.C.  
4301 Infirmary Road, P.O. Box 453  
West Carrollton, OH 45449  
O: (937) 859-2265  
C: (937) 604-7165  
F: (937) 859-4671  
kip.davis@veoliaes.com

"Martin, Jason  
(Momentive  
Performance  
To Materials)" <Kip.Davis@veoliaes.com>  
cc <jason.martin1@mo  
mentive.com>  
Subject  
09/23/2008 07:38 RE: PCB rolloff disposal  
AM

CHEM001241

**EPA005742**

The level of pcb in the rolloff was of Aroclor 1242 and was 157ppm. The remaining pcb analysis were ND.

Jason N. Martin  
Environmental Engineer  
Momentum Performance Materials  
Phone: 304.652.8127  
Cell: 304.771.1609  
Fax: 304.652.8738

-----Original Message-----

From: Kip.Davis@veoliaes.com [mailto:Kip.Davis@veoliaes.com]  
Sent: Monday, September 22, 2008 4:44 PM  
To: Martin, Jason (Momentum Performance Materials)  
Subject: Re: PCB rolloff disposal

Jason,  
Would you be able to supply me with the level of PCB's in the roll off as gathered from a TCLP analysis. Actual analytical results would also be very helpful.

Thanks,

Kip Davis  
Technical Services Representative  
Veolia Environmental Services Technical Solutions, L.L.C.  
4301 Infirmary Road, P.O. Box 453  
West Carrollton, OH 45449  
O: (937) 859-2265  
C: (937) 604-7165  
F: (937) 859-4671  
kip.davis@veoliaes.com

"Martin, Jason

(Momentum

Performance

To

CHEM001242

**EPA005743**

Materials)" <kip.davis@veoliaes.com>

cc <jason.martin1@momentive.com>

Subject: 09/22/2008 04:41 PM  
PCB rolloff disposal

Kip,  
  
Can you give me a cost on disposing of the PCB contaminated dirt in the 2 rolloffs that are on site. If you have any questions please give me a call.

Thank you,

Jason N. Martin  
Environmental Engineer  
Momentive Performance Materials  
Phone: 304.652.8127  
Cell: 304.771.1609  
Fax: 304.652.8738

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**EPA005744**

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To: Meyer, Paul - Middlebury, CT </O=BIOLAB/OU=MIDDLEBURY/CN=RECIPIENTS/CN=PMeyer>  
Subject: FW: Shaw PCB proposal  
Sent: 10/08/08 06:44:05PM  
Received: 10/08/08 06:49:00PM  
Message Size: 3422337  
Created: 03/26/12 07:20:25PM  
Last Modification Time: 03/26/12 07:20:25PM  
Body Type: RTF  
From: Leskiewicz, Mark A (Momentive Performance Materials) <Mark.Leskiewicz@momentive.com>  
Email Type: Outlook (PST)  
Full Path: Export Search 1 Vault\_0003\Root Items\FW: Shaw PCB proposal

Attachments: Momentive\_001.pdf

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Paul

Shaw quoted \$148M for standard 3M grid sampling. Clean Harbors was \$136M.

Regards,

Mark

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From: Leskiewicz, Mark A (Momentive Performance Materials)  
Sent: Tuesday, September 23, 2008 4:46 PM  
To: Hiley, Raymond D (Momentive Performance Materials); Bhavsar, Sanat N (Momentive Performance Materials); Chu, Howard; Robison, John (Momentive Performance Materials); Carlson, Wayne L (Momentive Performance Materials)  
Cc: Martin, Jason (Momentive Performance Materials)  
Subject: FW: Shaw PCB proposal

Revised quote from Shaw for tighter grid spacing - \$148M.

---

From: Martin, Jason (Momentive Performance Materials)  
Sent: Tuesday, September 23, 2008 2:47 PM  
To: Leskiewicz, Mark A (Momentive Performance Materials)  
Subject: FW: PCB proposal

fyi

Jason N. Martin  
Environmental Engineer  
Momentive Performance Materials  
Phone: 304.652.8127  
Cell: 304.771.1609  
Fax: 304.652.8738

---

CHEM001245

EPA005746



From: Flanagan, Marc [mailto:Marc.Flanagan@shawgrp.com]  
Sent: Tuesday, September 23, 2008 2:25 PM  
To: Martin, Jason (Momentive Performance Materials)  
Cc: Stoll, Dave  
Subject: RE: PCB proposal

Jason,

Attached for your review is the revised draft proposal to complete the soil boring program at the Momentive Performance Materials Site in Sistersville, West Virginia. We adjusted the grid spacing to 10 foot and made the adjustment to cost accordingly. Please feel free to call with any questions.

Regards,

Marc E. Flanagan

Project Geologist  
Commerical, State & Local Division  
Shaw Environmental and Infrastructure Group

13 British American Boulevard  
Latham, NY 12110  
(518) 783-1996 (office)  
(518) 894-1182 (cell)  
(518) 783-8397 (fax)

Shaw a world of Solutions  
[www.shawgrp.com](http://www.shawgrp.com)

---

From: Stoll, Dave  
Sent: Tuesday, September 23, 2008 8:05 AM  
To: Martin, Jason (Momentive Performance Materials)  
Cc: Flanagan, Marc  
Subject: RE: PCB proposal

Jason-we would be glad to revise the proposal to decrease the sampling intervals/grid spacing. We proposed the 20 foot spacing as it is typical, and actually a little closer, than we would typically use to assess soil quality and type. We were also concerned with the number of samples and cost given the closer spacing. Marc actually has a draft figure showing an approximate 10 foot grid pattern, we will recost and send over as soon as it is completed.

David C. Stoll, P.G.

Senior Project Manager

CHEM001246

**EPA005747**

Commercial , State and Local Division

Shaw Environmental and Infrastructure Group

13 British American Blvd.

Latham, NY 12110

(518) 783-1996

fax 783-8397

Shaw a world of Solutions

[www.shawgrp.com](http://www.shawgrp.com)

---

From: Martin, Jason (Momentive Performance Materials) [mailto:[jason.martin1@momentive.com](mailto:jason.martin1@momentive.com)]

Sent: Monday, September 22, 2008 4:39 PM

To: Stoll, Dave

Subject: PCB proposal

Dave,

We have reviewed your proposal and need some clarification.

The 20' x 20' will not be accepted by EPA, typically we use 3mx3m, can you clarify or justify your grid pattern.

Call if you have any questions.

Thank you,

Jason N. Martin

Environmental Engineer

Momentive Performance Materials

Phone: 304.652.8127

CHEM001247

**EPA005748**

Cell: 304.771.1609

Fax: 304.652.8738

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**EPA005749**

To: Meyer, Paul - Middlebury, CT </O=BIOLAB/OU=MIDDLEBURY/CN=RECIPIENTS/CN=PMEYER>  
Cc: Hiley, Raymond D (Momentive Performance Materials) <Raymond.Hiley@momentive.com>; Klarman, Steven C (Momentive Performance Materials) <Steven.Klarman@momentive.com>  
Subject: 9-26-08 Invoice Additional Information  
Sent: 10/24/08 06:22:22PM  
Received: 10/24/08 06:22:27PM  
Message Size: 193188  
Created: 03/26/12 07:20:34PM  
Last Modification Time: 03/26/12 07:20:34PM  
Body Type: RTF  
From: Leskowicz, Mark A (Momentive Performance Materials) <Mark.Leskowicz@momentive.com>  
Email Type: Outlook (PST)  
Full Path: Export Search 1 Vault\_0003\Root Items\9-26-08 Invoice Additional Information

Attachments: \$60M O&M Recovery Well.pdf, 7-2-08 PCB Decontamination.pdf

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Paul,

I have further researched the charges you questioned in your October 7th e-mail.

The \$60,000 recovery well operation and maintenance was an average cost determined from operating records from 1994-1996. It was used internally to determine reserve amounts and environmental accruals (see attached document from 1997. It was composed primarily from operator labor (\$4500 per month or \$50000 per year), maintenance costs, energy costs, and a portion of wastewater treatment plant costs. The recovery well operation has not significantly changed since this time. These costs have not been updated for inflation over this 12 year period.

The invoice for the Clean Harbors' PCB decontamination of rented construction project equipment is attached for your files.

I trust I have now addressed all your concerns regarding the August 2007-July 2008 invoice. If you would like to submit payment through an electronic funds transfer, as Mike Cote had done last year, I can send you our account information.

Best regards,

Mark A. Leskowicz  
EHS Site Manager  
MPM Silicones, LLC  
Sistersville plant  
3500 South State Route 2  
Friendly, WV 26146  
Ph: 304-652-8222  
Fax: 304-652-8738  
Mark.Leskowicz@momentive.com

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CHEM001249

**EPA005750**

To: Leskowicz, Mark A (Momentive Performance Materials) <Mark.Leskowicz@momentive.com>  
Cc: Sokol, Matthew - Middlebury, CT </O=BIOLAB/OU=MIDDLEBURY/CN=RECIPIENTS/CN=Matthew.Sokol>  
Subject: Sistersville, WV - PCB Investigation & Remediation letter  
Sent: 12/08/08 11:23:56AM  
Received: 12/08/08 11:23:00AM  
Message Size: 1226589  
Created: 03/26/12 08:55:50PM  
Last Modification Time: 03/26/12 08:55:50PM  
Body Type: RTF  
From: Meyer, Paul - Middlebury, CT </O=BIOLAB/OU=MIDDLEBURY/CN=RECIPIENTS/CN=PMeyer>  
Email Type: Outlook (PST)  
Full Path: Export Search 1 Vault\_0006\Root Items\Sistersville, WV - PCB Investigation & Remediation letter

Attachments: Sistersville - PZM to M Leskowicz re PCBs - 20081208.pdf

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Mark,

I've attached a letter in reply to our recent communications regarding the noticed incidences of PCBs at your facility. The original with copies are being sent out today via US Postal Service.

Please contact me if you have any questions.

Regards,

Paul

Paul Meyer

Manager, Environmental Remediation

Environment, Health & Safety, Security, and Regulatory Affairs

Chemtura Corporation

199 Benson Road - Mail Stop 2-4

Middlebury, CT 06749

203.573.3545 tel

203.573.3362 fax

CHEM001250

**EPA005751**

914.469.6812 cell

paul.meyer@chemtura.com

To: Leskowicz, Mark A <Mark.Leskowicz@momentive.com>  
Cc: Hiley, Raymond D (Momentive Performance Materials) <Raymond.Hiley@momentive.com>; Carlson, Wayne L (Momentive Performance Materials) <Wayne.Carlson@momentive.com>  
Subject: RE: Sistersville - Momentive's Sept 26, 2008 invoice & additional PCB costs  
Sent: 12/08/08 03:29:31PM  
Received: 12/08/08 03:29:00PM  
Message Size: 25238  
Created: 03/26/12 08:55:46PM  
Last Modification Time: 03/26/12 08:55:46PM  
Body Type: RTF  
From: Meyer, Paul - Middlebury, CT </O=BIOLAB/OU=MIDDLEBURY/CN=RECIPIENTS/CN=PMEYER>  
Email Type: Outlook (PST)  
Full Path: Export Search 1 Vault 0006\Root Items\RE: Sistersville - Momentive's Sept 26, 2008 invoice & additional PCB costs

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Mark,

Thanks for your note and your voice mail.

I have passed on your request that we pay the non-disputed portion of the invoice. Just for clarification...by my calculation, that amount is \$90,385.74. Please let me know if you concur.

I anticipate being able to give you a more substantive response before the end of this week.

Regards,

Paul

Paul Meyer

Manager, Environmental Remediation

Environment, Health & Safety, Security, and Regulatory Affairs

Chemtura Corporation

199 Benson Road - Mail Stop 2-4

Middlebury, CT 06749

203.573.3545 tel

CHEM001252

**EPA005753**

203.573.3362 fax

914.469.6812 cell

paul.meyer@chemtura.com

---

From: Leskowicz, Mark A [mailto:Mark.Leskowicz@momentive.com]  
Sent: Monday, December 08, 2008 11:46 AM  
To: Meyer, Paul - Middlebury, CT  
Cc: Hiley, Raymond D (Momentive Performance Materials); Carlson, Wayne L (Momentive Performance Materials)  
Subject: RE: Sistersville - Momentive's Sept 26, 2008 invoice & additional PCB costs  
Importance: High

Paul,

We have not yet received payment from Chemtura for the annual corrective actions's invoice letter. I received your e-mail stating Chemtura's position on PCB related costs and would expect you to remove the ca. five thousand dollars for PCB decontamination until Momentive and Chemtura can resolve ownership of that issue, but payment for the rest of the invoice is well past due. Please contact me or Wayne Carlson for information on how to submit payment electronically, if Chemtura again would prefer this option as they did in 2007. I have also left you a voicemail on this topic.

Regards,

Mark A. Leskowicz

EHS Site Manager

MPM Silicones, LLC

Sistersville plant

3500 South State Route 2

Friendly, WV 26146

Ph: 304-652-8222

Fax: 304-652-8738

Mark.Leskowicz@momentive.com

CHEM001253

**EPA005754**



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From: Meyer, Paul - Middlebury, CT [mailto:Paul.Meyer@chemtura.com]  
Sent: Wednesday, October 29, 2008 10:43 AM  
To: Leskowitz, Mark A (Momentive Performance Materials)  
Subject: Sistersville - Momentive's Sept 26, 2008 invoice & additional PCB costs

Mark,

Just a quick note to let you know that I've received your correspondence and we are presently reviewing the information related to the invoice as well as the additional PCB-related costs that you've requested Chemtura to pay for.

I'll be getting back to you as quickly as possible. As I'm sure that you can understand, I require the concurrence of others in my company prior to proceeding.

Regards,

Paul

Paul Meyer

Manager, Environmental Remediation

Environment, Health & Safety, Security, and Regulatory Affairs

Chemtura Corporation

199 Benson Road - Mail Stop 2-4

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203.573.3545 tel

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paul.meyer@chemtura.com

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**EPA005755**

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**EPA005756**

To: Meyer, Paul - Middlebury, CT </O=BIOLAB/OU=MIDDLEBURY/CN=RECIPIENTS/CN=PMEYER>  
Cc: Hiley, Raymond D (Momentive Performance Materials) <Raymond.Hiley@momentive.com>; Robison, John (Momentive Performance Materials) <John.Robison@momentive.com>; Klarman, Steven C (Momentive Performance Materials) <Steven.Klarman@momentive.com>  
Subject: Sistersville - Momentive's Sept 26, 2008 invoice & additional PCB costs  
Sent: 12/09/08 05:23:45PM  
Received: 12/09/08 05:23:55PM  
Message Size: 184816  
Created: 03/26/12 08:22:15PM  
Last Modification Time: 03/26/12 08:22:15PM  
Body Type: RTF  
From: Leskowicz, Mark A <Mark.Leskowicz@momentive.com>  
Email Type: Outlook (PST)  
Full Path: Export Search 1 Vault\_0005\Root Items\Sistersville - Momentive's Sept 26, 2008 invoice & additional PCB costs  
  
Attachments: 2007\_2008 Invoice rev 12-09-08.pdf

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Paul,

As requested, attached is a revised invoice which should clarify any cost discrepancies. Copies have also been sent by USPS.

Regards,

Mark

Mark A. Leskowicz  
EHS Site Manager  
MPM Silicones, LLC  
Sistersville plant  
3500 South State Route 2  
Friendly, WV 26146  
Ph: 304-652-8222  
Fax: 304-652-8738

Mark.Leskowicz@momentive.com

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